

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff(s),

CASE NUMBER: 05-80025

HONORABLE VICTORIA A. ROBERTS

v.

D-1 TIMOTHY DENNIS O'REILLY,

Defendant(s).

\_\_\_\_\_ /

**ORDER**

On August 18, 2010, Timothy O'Reilly filed a "Motion in Limine to Exclude Reference to Specific Inmates Within the Control of the Bureau of Prisons." (Doc. #626). O'Reilly asks the Court to prohibit the Government from eliciting, in its rebuttal case, testimony regarding the inability of the Bureau of Prisons ("BOP") to control specific inmates who committed murders or assaults while housed in federal institutions.

The Court heard oral argument on August 19, 2010.

The motion is **MOOT**, since the Government opted to not call the BOP witness.

**IT IS ORDERED.**

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: August 23, 2010

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on August 23, 2010.

s/Linda Vertriest

Deputy Clerk